

THE HON'BLE SRI JUSTICE N.V. RAMANA

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W.P. No. 20014 of 2006

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Oral order:

By this writ petition, the petitioner seeks a declaration that he is senior to the 3rd respondent, and consequently seeks a direction to the 1st and 2nd respondents to promote him in the existing vacancy of Mukya Archaka (now vacant) by following the statutory rules.

The main grievance of the petitioner is that the 1st and 2nd respondent ignoring his seniority are going to promote the 3rd respondent, who is junior to him.

The writ petition was admitted, and the 3rd respondent having received the notice in the writ petition, filed detailed counter denying the allegations made in the writ petition and *inter alia* stated that as of today, no promotion has been given to him, and it is only in anticipation that 1st and 2nd respondent would give him promotion, the petitioner filed the present writ petition. It is stated that as of today no cause of action has arisen for the petitioner to file the writ petition, and the same is premature.

Heard the learned counsel for the petitioner, the learned Government Pleader for Endowments for the 1st and 2nd respondents and the learned counsel for the 3rd respondent.

Inasmuch as, as of today the 1st and 2nd respondents have not made any promotions to the post of Mukya Archaka, much less promoted the 3rd respondent to the said post, I am of the considered opinion, that no cause of action has arisen for the petitioner to file the writ petition and the same is premature.

Hence, the writ petition is dismissed. However, the petitioner is at liberty to file fresh writ petition as and when cause of action arises for him.

N.V. RAMANA, J.

Date: 10th July, 2007.
KSR